

STATE OF TENNESSEE

Office of the Attorney General



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Reply to:
Consumer Advocate and Protection Division
Post Office Box 20207
Nashville, TN 37202

June 30, 2004

Honorable Deborah Taylor Tate
Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

IN RE: Hickory Star Water Company, LLC To Increase Its Rates
Docket No: 04-00044

Dear Chairman Tate:

Enclosed is an original and thirteen copies of the Consumer Advocate and Protection Division's Notice in Lieu of Expert Testimony. Please file same in this docket. Copies are being sent to all parties of record.

Should you have any questions, please contact me at 615-532-3382. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Shilina B. Chatterjee".

Shilina B. Chatterjee
Assistant Attorney General

cc: All Parties of Record.

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**IN THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**APPLICATION OF HICKORY STAR
WATER COMPANY, LLC TO INCREASE
ITS RATES**

DOCKET NO. 04-00044

**THE CONSUMER ADVOCATE & PROTECTION DIVISION'S NOTICE IN LIEU OF
EXPERT TESTIMONY**

Comes now Paul G. Summers, Attorney General and Reporter for the State of Tennessee, through the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate" or "CAD"), pursuant to Tenn. Code Ann. § 65-4-118(c)(2)(A), and hereby states as follows:

At this time, based upon our review and analysis of the factual information based on the filings in this docket, the Consumer Advocate is not inclined to file direct testimony in this matter. However, the CAD respectfully requests that 1) any pass-throughs of increases in expenses be monitored closely and that the Tennessee Regulatory Authority ("TRA") direct Hickory Star Water Company, LLC ("Hickory Star") to separately seek prior approval of these "pass-throughs" on a case-by-case basis;¹ and 2) the CAD be allowed, if necessary, to submit expert

¹ In Hickory Star's proposed rate schedule, it reserves the right to pass-on to its customers increases in the cost of water purchased from the City of Maynardville. If the TRA is inclined to approve this proposed provision, the TRA should require Hickory Star to separately seek advance approval of any such pass-

testimony and/or proof on the pass through issue or on other issues that may arise at a later date before this docket is concluded.

RESPECTFULLY SUBMITTED,



SHILINA B. CHATTERJEE, B.P.R. #20689

JOE SHIRLEY, B.P.R. #22287

Assistant Attorneys General

Office of the Attorney General

Consumer Advocate and Protection Division

P.O. Box 20207

Nashville, Tennessee 37202

(615) 532-3382

Dated: June 30, 2004


through of purchased water expense in a separate filing made with sufficient notice so that any person who desires to object to the pass-through may have an opportunity to object.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on June 30, 2004, via facsimile or first-class U.S. Mail, postage prepaid, upon:

H. LaDon Baltimore, Esq.
Farrar & Bates, L.L.P.
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Nashville, Tennessee 37219
Facsimile: (615) 254-9835

Mr. William Geary, Jr.
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SHILINA B. CHATTERJEE
Assistant Attorney General

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